

REMARKS

I. Status of the Claims

The Office Action states that Claims 1-13 are pending in the present Application and that Claims 1-13 have been rejected. However, in July of 2003, a preliminary amendment was submitted to the Office by Kathryn Doty in which Claims 1-13 were canceled, and new Claims 14-17 were added. The preliminary amendment appears in PAIR so the Applicants are certain that the Office has received the amendment. In addition, new Claims 14-17 that were added in that amendment address some of the Examiner's current rejections. Therefore, the Applicants are responding to the current Office Action as if the 2003 preliminary amendment was entered, whereby Claims 1-13 were canceled and Claims 14-17 were newly added.

Claims 14-17 have been amended and now stand ready for examination on their merits.

II. Effective Filing date is 1996 not 1998

Applicants note that the preliminary amendment filed on July 10, 2003, added the priority statement which shows priority back to serial number 08/600,580, February 13, 1996. This Application has an effective filing date of February 13, 1996.

III. Claim Rejection under 35 U.S.C. § 112, second paragraph

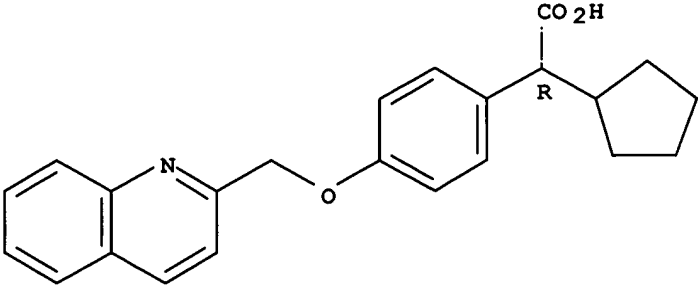
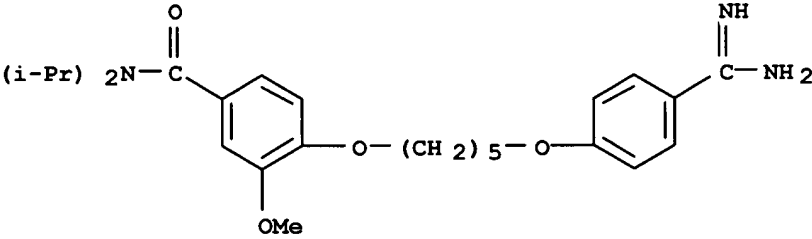
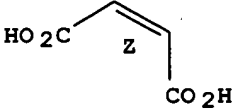
a. Claims 2, 3, and 4 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

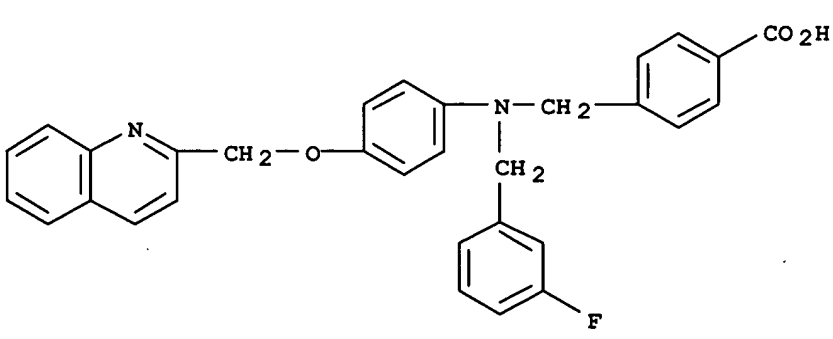
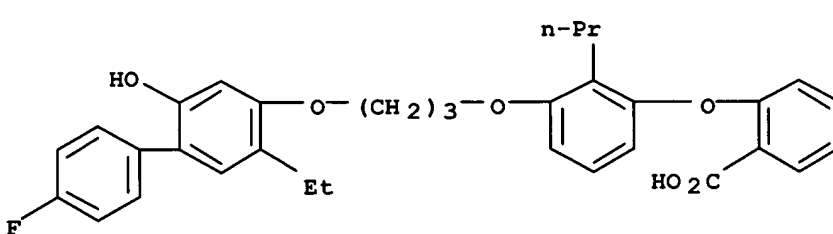
In response to this rejection, the Applicants respectfully point out that each of the compounds listed in the Examiner's response are easily identifiable by one skilled in the art as being part of the Chemical Abstract Service (CAS) collection and could easily be obtained by, for example, using SciFinder®. In doing so, the Applicants have listed the chemical names for each of the compounds in the following table, and have amended

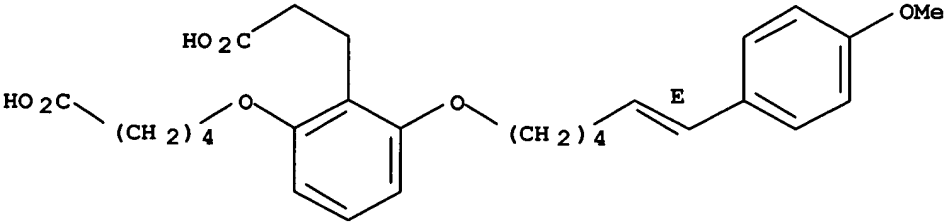
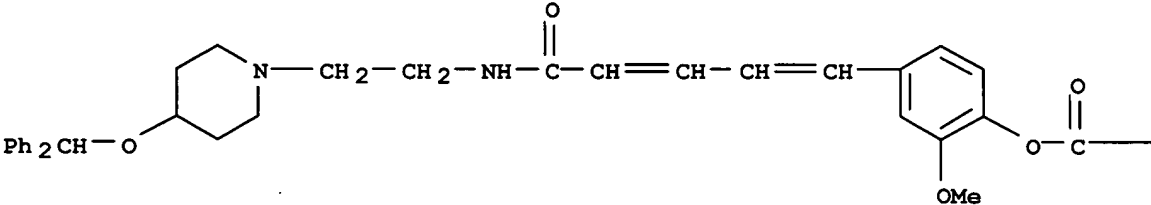
the claims by replacing the trademark names with the compound names. No new matter has been added in making these amendments.

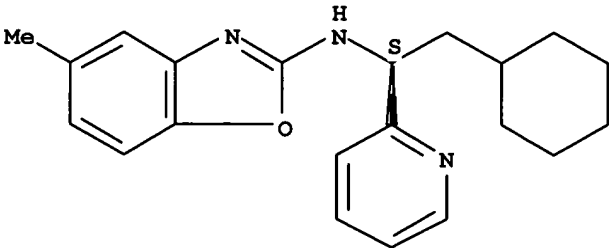
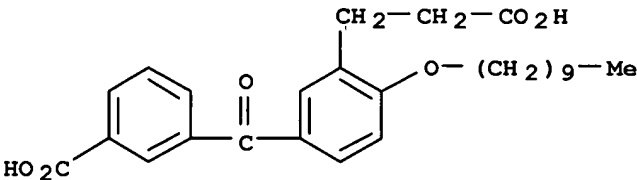
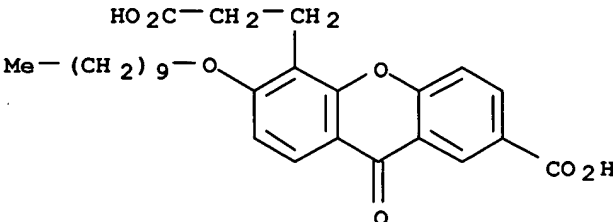
Two compounds have been deleted from the Claims. One involves a typographical error. This compound is Shionogi S-2472. The second compound is Leo Denmark SR-2566, for which a chemical name is not available. Nevertheless, this compound is readily identifiable by CAS number 195215-55-5.

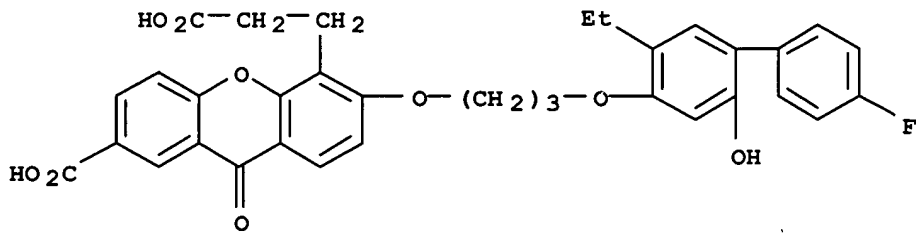
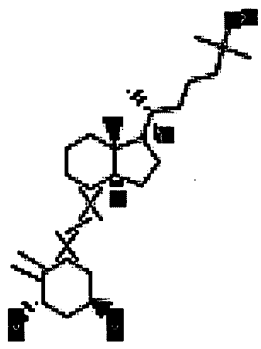
Dup-697	<p>Registry Number: 88149-94-4</p> <div data-bbox="812 619 1153 966"> </div> <p>Formula: C₁₇ H₁₂ Br F O₂ S₂</p> <p>CA Index Name: Thiophene, 5-bromo-2-(4-fluorophenyl)-3-[4-(methylsulfonyl)phenyl]- (9CI)</p> <p>Other Names: DuP 697</p>
Taisho NS-398	<p>Registry Number: 123653-11-2</p> <div data-bbox="803 1291 1161 1596"> </div> <p>Formula: C₁₃ H₁₈ N₂ O₅ S</p> <p>CA Index Name: Methanesulfonamide, N-[2-(cyclohexyloxy)-4-nitrophenyl]- (9CI)</p> <p>Other Names: N-(2-Cyclohexyloxy-4-nitrophenyl)methanesulfonamide; NS 398; Taisho NS 398</p>

<p>Bayer</p> <p>Bay-x-1005</p>	<p>128253-31-6</p> <p>Absolute stereochemistry. Rotation (+).</p>  <p>Formula: C₂₃ H₂₃ N O₃</p> <p>CA Index Name: Benzeneacetic acid, α-cyclopentyl-4-(2-quinolinylmethoxy)-, (αR)- (9CI)</p>
<p>Ciba-Geigy</p> <p>CGS-25019C</p>	<p>Registry Number: 147398-01-4</p> <p>Component Registry Number: 146978-48-5</p> <p>Formula: C₂₆ H₃₇ N₃ O₄</p>  <p>Component Registry Number: 110-16-7</p> <p>Formula: C₄ H₄ O₄</p> <p>Double bond geometry as shown.</p>  <p>Formula: C₂₆ H₃₇ N₃ O₄ . C₄ H₄ O₄</p> <p>CA Index Name: Benzamide, 4-[[5-[4-(aminoiminomethyl)phenoxy]pentyl]oxy]-3-methoxy-N,N-</p>

	<p>bis(1-methylethyl)-, (2Z)-2-butenedioate (1:1) (9CI)</p> <p>Other Names: Benzamide, 4-[[5-[4-(aminoiminomethyl)phenoxy]pentyl]oxy]-3-methoxy-N,N-bis(1-methylethyl)-, (Z)-2-butenedioate (1:1); CGS 25019C; LTB 019; Moxilubant maleate</p>
<p>Leo Denmark ETH-615</p>	<p>Registry Number: 133430-69-0</p>  <p>Formula: C₃₁ H₂₅ F N₂ O₃</p> <p>CA Index Name: Benzoic acid, 4-[[[(3-fluorophenyl)methyl][4-(2-quinolinylmethoxy)phenyl]amino]methyl]- (9CI)</p> <p>Other Names: ETH 615</p>
<p>Lilly Ly- 293111</p>	<p>Registry Number: 161172-51-6</p>  <p>Formula: C₃₃ H₃₃ F O₆</p> <p>CA Index Name: Benzoic acid, 2-[3-[3-[(5-ethyl-4'-fluoro-2-hydroxy[1,1'-biphenyl]-4-yl)oxy]propoxy]-2-propylphenoxy]- (9CI)</p>

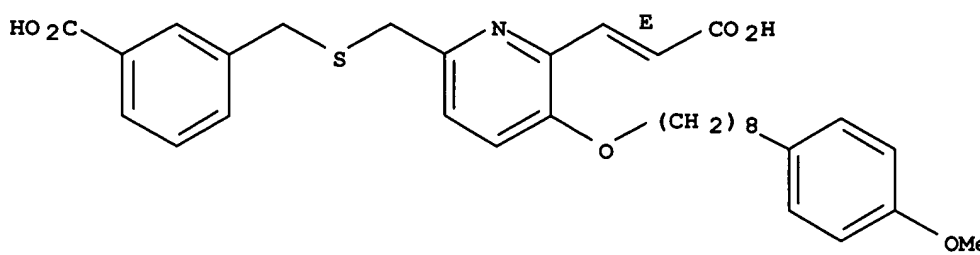
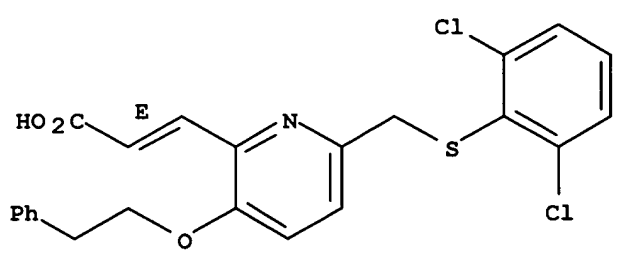
<p>Ono ONO-4057</p>	<p>Registry Number: 134578-96-4</p> <p>Double bond geometry as shown.</p>  <p>Formula: C₂₇ H₃₄ O₇</p> <p>CA Index Name: Benzenepropanoic acid, 2-(4-carboxybutoxy)-6-[[5E)-6-(4-methoxyphenyl)-5-hexenyl]oxy]- (9CI)</p> <p>Other Names: Benzenepropanoic acid, 2-(4-carboxybutoxy)-6-[[6-(4-methoxyphenyl)-5-hexenyl]oxy]-, (E)-; ONO 4057; ONO-LB 457</p>
<p>Terumo TMK-688</p>	<p>Registry Number: 110501-66-1</p> <p>PAGE 1-A</p>  <p>PAGE 1-B</p> <p>— OEt</p> <p>Formula: C₃₅ H₄₀ N₂ O₆</p> <p>CA Index Name: Carbonic acid, 4-[5-[[2-[4-(diphenylmethoxy)-1-piperidiny]ethyl]amino]-5-oxo-1,3-pentadienyl]-2-methoxyphenyl ethyl ester (9CI)</p> <p>Other Names: TMK 688</p>

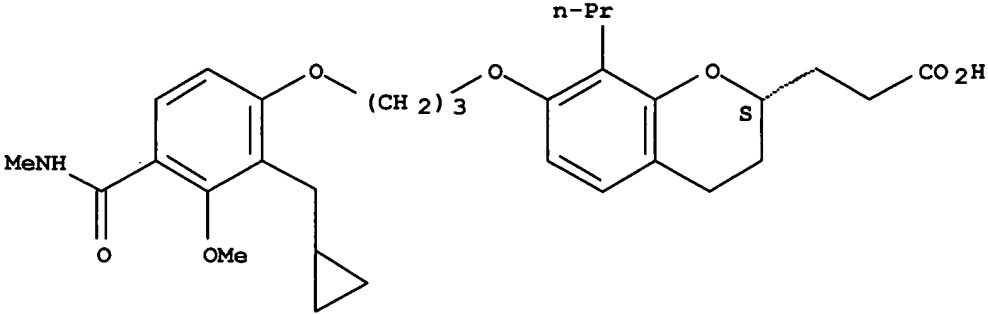
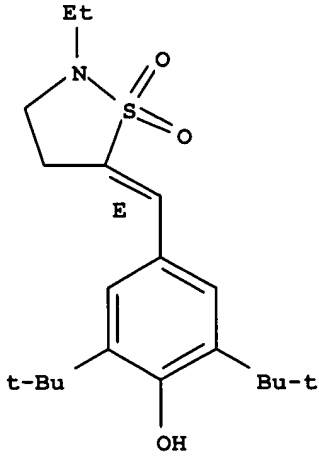
BI-RM-270	<p>Registry Number: 147432-77-7</p> <p>Absolute stereochemistry.</p>  <p>Formula: C₂₁ H₂₅ N₃ O</p> <p>CA Index Name: 2-Benzoxazoline, N-[(1S)-2-cyclohexyl-1-(2-pyridinyl)ethyl]-5-methyl- (9CI)</p> <p>Other Names: 2-Benzoxazoline, N-[2-cyclohexyl-1-(2-pyridinyl)ethyl]-5-methyl-, (S)-; BIRM 270; Ontazolast</p>
Lilly LY 213024	<p>Registry Number: 117423-95-7</p>  <p>Formula: C₂₇ H₃₄ O₆</p> <p>CA Index Name: Benzenepropanoic acid, 5-(3-carboxybenzoyl)-2-(decyloxy)- (9CI)</p> <p>Other Names: LY 213024</p>
Lilly LY 264086	<p>Registry Number: 135199-82-5</p> 

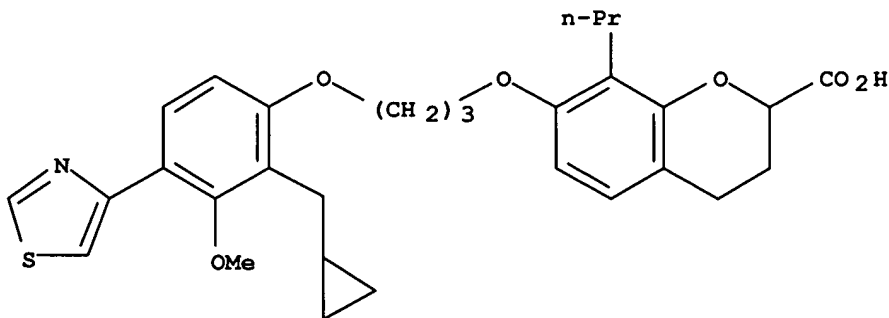
	<p>Formula: C₂₇ H₃₂ O₇</p> <p>CA Index Name: 9H-Xanthene-4-propanoic acid, 7-carboxy-3-(decyloxy)-9-oxo- (9CI)</p> <p>Other Names: LY 264086</p>						
Lilly LY 292728	<p>Registry Number: 153034-77-6</p> <div style="text-align: center;">  </div> <p>Formula: C₃₄ H₂₉ F O₉</p> <p>CA Index Name: 9H-Xanthene-4-propanoic acid, 7-carboxy-3-[3-[(5-ethyl-4'-fluoro-2-hydroxy[1,1'-biphenyl]-4-yl)oxy]propoxy]-9-oxo- (9CI)</p> <p>Other Names: 3-[7-Carboxy-9-oxo-3-[3-[2-ethyl-4-(4-fluorophenyl)-5-hydroxyphenoxy]propoxy]-9H-xanthen-4-yl]propanoic acid; LY 292728</p>						
Calcitriol	<p>Synonyms: <u>Calcitriol</u>, <u>ROCALTROL (TN)</u></p> <div style="display: flex; align-items: center;"> <div style="flex: 1;">  </div> <div style="flex: 2; background-color: black; color: white; padding: 10px;"> <table border="1"> <tr> <td style="background-color: black; color: white; padding: 5px;">IUPAC Name</td> <td style="background-color: black; color: white; padding: 5px;">3-[2-[[3-(5-hydroxy-1,5-dimethyl-hexyl)-3a-methyl-1,2,3,3a,4,5,6,7a-oxetahydroinden-7-ylidene]]ethylidene]-2-methylene-cyclohexane-1,5-diol</td> </tr> <tr> <td style="background-color: black; color: white; padding: 5px;">CAS Number</td> <td style="background-color: black; color: white; padding: 5px;">32222-06-3</td> </tr> <tr> <td style="background-color: black; color: white; padding: 5px;">Chemical Formula</td> <td style="background-color: black; color: white; padding: 5px;">C₂₇H₄₄O₃</td> </tr> </table> </div> </div>	IUPAC Name	3-[2-[[3-(5-hydroxy-1,5-dimethyl-hexyl)-3a-methyl-1,2,3,3a,4,5,6,7a-oxetahydroinden-7-ylidene]]ethylidene]-2-methylene-cyclohexane-1,5-diol	CAS Number	32222-06-3	Chemical Formula	C ₂₇ H ₄₄ O ₃
IUPAC Name	3-[2-[[3-(5-hydroxy-1,5-dimethyl-hexyl)-3a-methyl-1,2,3,3a,4,5,6,7a-oxetahydroinden-7-ylidene]]ethylidene]-2-methylene-cyclohexane-1,5-diol						
CAS Number	32222-06-3						
Chemical Formula	C ₂₇ H ₄₄ O ₃						
Perdue Frederick PF 10042	<p>Registry Number: 135893-33-3</p>						

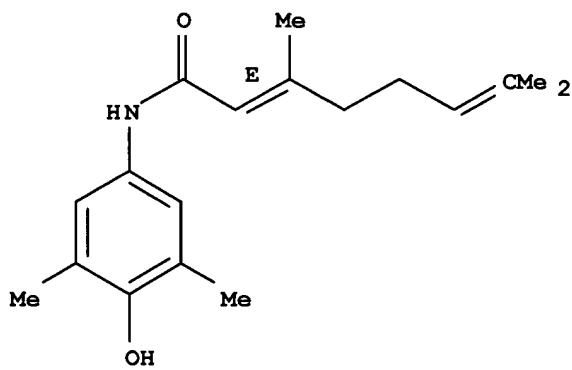
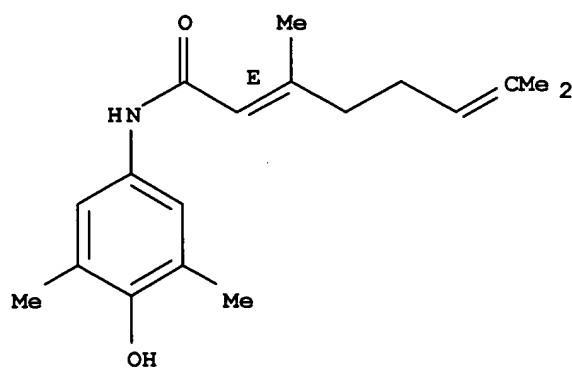
	<div data-bbox="565 195 1409 373" data-label="Chemical-Block"> </div> <p>Formula: C₂₉ H₃₁ N O₄</p> <p>CA Index Name: Pyrrolidine, 1-[5-hydroxy-5-[8-(1-hydroxy-2-phenylethyl)-2-dibenzofuranyl]-1-oxopentyl]- (9CI)</p> <p>Other Names: PF 10042</p>
<p>Rhone-Poulenc Rorer RP 66153</p>	<div data-bbox="800 867 1174 1056" data-label="Chemical-Block"> </div> <p>Formula: C₂₂ H₃₀ O₂ S</p> <p>CA Index Name: 2-Thiopheneheptanoic acid, 2,2-dimethyl-3-(3-phenylpropyl)- (9CI)</p> <p>Other Names: RP 66153</p>
<p>Smithkline Beecham SB- 201146</p>	<p>Registry Number: 180208-37-1</p> <p>Double bond geometry as shown.</p>

	<div data-bbox="532 184 1442 569" data-label="Chemical-Block"> </div> <p>Formula: C₃₀ H₃₆ N₂ O₅ S</p> <p>CA Index Name: 2-Propenoic acid, 3-[6-[[[(3-aminophenyl)sulfinyl]methyl]-3-[[8-(4-methoxyphenyl)octyl]oxy]-2-pyridinyl]-, (2E)- (9CI)</p> <p>Other Names: 2-Propenoic acid, 3-[6-[[[(3-aminophenyl)sulfinyl]methyl]-3-[[8-(4-methoxyphenyl)octyl]oxy]-2-pyridinyl]-, (E)-; SB 201146</p>
Pfizer 105696	<p>Registry Number: 158081-99-3</p> <p>Absolute stereochemistry.</p> <div data-bbox="659 1140 1312 1398" data-label="Chemical-Block"> </div> <p>Formula: C₂₈ H₂₈ O₄</p> <p>CA Index Name: Cyclopentanecarboxylic acid, 1-[(3S,4R)-3-([1,1'-biphenyl]-4-ylmethyl)-3,4-dihydro-4-hydroxy-2H-1-benzopyran-7-yl]- (9CI)</p> <p>Other Names: Cyclopentanecarboxylic acid, 1-[3-([1,1'-biphenyl]-4-ylmethyl)-3,4-dihydro-4-hydroxy-2H-1-benzopyran-7-yl]-, (3S-trans)-; CP 105696; Pfizer 105696</p>
Smithkline	<p>Registry Number: 150399-22-7</p>

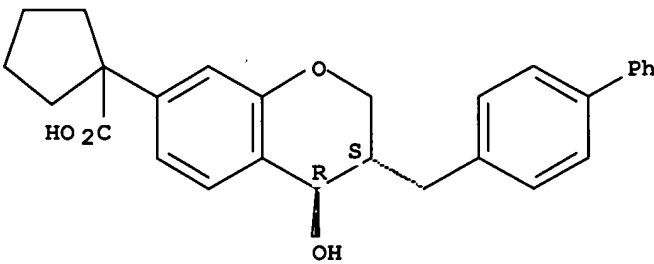
<p>Beecham SB- 201993</p>	<p>Double bond geometry as shown.</p>  <p>Formula: C₃₂ H₃₇ N O₆ S</p> <p>CA Index Name: Benzoic acid, 3-[[[6-[(1E)-2-carboxyethenyl]-5-[[8-(4-methoxyphenyl)octyl]oxy]-2-pyridinyl]methyl]thio]methyl]- (9CI)</p> <p>Other Names: Benzoic acid, 3-[[[6-(2-carboxyethenyl)-5-[[8-(4-methoxyphenyl)octyl]oxy]-2-pyridinyl]methyl]thio]methyl]-, (E)-; SB 201993</p>
<p>Smithkline Beecham SB- 209247</p>	<p>Double bond geometry as shown.</p>  <p>Formula: C₂₃ H₁₉ Cl₂ N O₃ S</p> <p>CA Index Name: 2-Propenoic acid, 3-[6-[[[(2,6-dichlorophenyl)thio]methyl]-3-(2-phenylethoxy)-2-pyridinyl]-, (2E)- (9CI)</p> <p>Other Names: 2-Propenoic acid, 3-[6-[[[(2,6-dichlorophenyl)thio]methyl]-3-(2-phenylethoxy)-2-pyridinyl]- (E)-; (E)-3-[6-[[[(2,6-Dichlorophenyl)thio]methyl]-3-(2-phenylethoxy)-2-pyridinyl]-2-propenoic acid; SB 209247; Ticolubant</p>

Searle SC-53228	<p>Registry Number: 153633-01-3</p> <p>Absolute stereochemistry.</p>  <p>Formula: C₃₁ H₄₁ N O₇</p> <p>CA Index Name: 2H-1-Benzopyran-2-propanoic acid, 7-[3-[2-(cyclopropylmethyl)-3-methoxy-4-[(methylamino)carbonyl]phenoxy]propoxy]-3,4-dihydro-8-propyl-, (2S)- (9CI)</p> <p>Other Names: 2H-1-Benzopyran-2-propanoic acid, 7-[3-[2-(cyclopropylmethyl)-3-methoxy-4-[(methylamino)carbonyl]phenoxy]propoxy]-3,4-dihydro-8-propyl-, (S)-; (+)-SC 51146; SC 53228</p>
Shinonogi S-2474 (typo: was S-2472)	<p>Registry Number: 158089-95-3</p> <p>Double bond geometry as shown.</p>  <p>Formula: C₂₀ H₃₁ N O₃ S</p>

	<p>CA Index Name: Phenol, 2,6-bis(1,1-dimethylethyl)-4-[(E)-(2-ethyl-1,1-dioxido-5-isothiazolidinylidene)methyl]- (9CI)</p> <p>Other Names: Phenol, 2,6-bis(1,1-dimethylethyl)-4-[(2-ethyl-5-isothiazolidinylidene)methyl]-, S,S-dioxide, (E)-; Phenol, 2,6-bis(1,1-dimethylethyl)-4-[(2-ethyl-1,1-dioxido-5-isothiazolidinylidene)methyl]-, (E)-; S 2474</p>
Searle SC-52798	<p>Registry Number: 162153-46-0</p> <p>Rotation (+).</p>  <p>Formula: C₃₀ H₃₅ N O₆ S</p> <p>CA Index Name: 2H-1-Benzopyran-2-carboxylic acid, 7-[3-[2-(cyclopropylmethyl)-3-methoxy-4-(4-thiazolyl)phenoxy]propoxy]-3,4-dihydro-8-propyl-, (+)- (9CI)</p> <p>Other Names: SC 52798</p>
Leo Denmark SR-2566	<p>Registry Number: 195215-55-5</p> <p>No Structure Diagram</p> <p>Available</p> <p>Formula: Unspecified</p> <p>CA Index Name: SR 2566 (9CI)</p> <p>Class Identifier: Manual Registration</p>

	Editor Note(s): A leukotriene B4 receptor antagonist
Tanabe T-757	<p>Registry Number: 130211-75-5</p> <p>Double bond geometry as shown.</p>  <p>Formula: C18 H25 N O2</p> <p>CA Index Name: 2,6-Octadienamide, N-(4-hydroxy-3,5-dimethylphenyl)-3,7-dimethyl-, (2E)-(9CI)</p> <p>Other Names: 2,6-Octadienamide, N-(4-hydroxy-3,5-dimethylphenyl)-3,7-dimethyl-, (E)-; T 0757</p>
Tanabe T-757	<p>Registry Number: 130211-75-5</p> <p>Double bond geometry as shown.</p>  <p>Formula: C18 H25 N O2</p>

	<p>CA Index Name: 2,6-Octadienamide, N-(4-hydroxy-3,5-dimethylphenyl)-3,7-dimethyl-, (2E)-(9CI)</p> <p>Other Names: 2,6-Octadienamide, N-(4-hydroxy-3,5-dimethylphenyl)-3,7-dimethyl-, (E)-; T 0757</p>
Sumitamo SM 15178	<p>Registry Number: 146461-98-5</p> <div data-bbox="586 520 1382 705" data-label="Chemical-Block"> </div> <p>Formula: C₂₂ H₂₆ N₂ O₆</p> <p>CA Index Name: □-Alanine, N-[[6-[(4-acetyl-2-ethyl-5-hydroxyphenoxy)methyl]-2-pyridinyl]carbonyl]-N-ethyl- (9CI)</p> <p>Other Names: SM 15178</p>
American Home Products Way 121006	<p>Registry Number: 136326-31-3</p> <div data-bbox="605 1184 1365 1394" data-label="Chemical-Block"> </div> <p>Formula: C₂₄ H₁₈ F N O₃</p> <p>CA Index Name: [1,1'-Biphenyl]-4-acetic acid, 2-fluoro-4'-(2-quinolinylmethoxy)- (9CI)</p> <p>Other Names: WAY 121006</p>
Warner-	<p>Registry Number: 195215-25-9</p>

Lambert BPC-15	<p style="text-align: center;">No Structure Diagram</p> <p>Available</p> <p>Formula: Unspecified</p> <p>CA Index Name: BPC 15 (9CI)</p> <p>Class Identifier: Manual Registration</p> <p>Editor Note(s): A leukotriene B4 receptor antagonist</p>
Pfizer 105696	<p>Registry Number: 158081-99-3</p> <p style="text-align: center;">Absolute stereochemistry.</p>  <p>Formula: C₂₈ H₂₈ O₄</p> <p>CA Index Name: Cyclopentanecarboxylic acid, 1-[(3S,4R)-3-([1,1'-biphenyl]-4-ylmethyl)-3,4-dihydro-4-hydroxy-2H-1-benzopyran-7-yl]- (9CI)</p> <p>Other Names: Cyclopentanecarboxylic acid, 1-[3-([1,1'-biphenyl]-4-ylmethyl)-3,4-dihydro-4-hydroxy-2H-1-benzopyran-7-yl]-, (3S-trans)-; CP 105696; Pfizer 105696</p>
ontazolast	<p>Registry Number: 147432-77-7</p> <p style="text-align: center;">Absolute stereochemistry.</p>

	<div data-bbox="678 184 1286 436" data-label="Chemical-Block"> </div> <p>Formula: C₂₁ H₂₅ N₃ O</p> <p>CA Index Name: 2-Benzoxazamine, N-[(1S)-2-cyclohexyl-1-(2-pyridinyl)ethyl]-5-methyl- (9CI)</p> <p>Other Names: 2-Benzoxazamine, N-[2-cyclohexyl-1-(2-pyridinyl)ethyl]-5-methyl-, (S)-; BIRM 270; Ontazolast</p>
ebselen	<div data-bbox="812 829 1149 997" data-label="Chemical-Block"> </div> <p>Formula: C₁₃ H₉ N O Se</p> <p>CA Index Name: 1,2-Benzisoselenazol-3(2H)-one, 2-phenyl- (9CI)</p> <p>Other Names: 2-Phenyl-1,2-benzisoselenazol-3(2H)-one; 2-Phenyl-1,2-benzisoselenazol-3(2H)-one; Ebselen; NSC 639762; PZ 51</p>

b. Rejection of Claims 5 and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 and 13 are no longer pending in the present Application. Therefore, it is believed that these rejections are moot.

IV. Claim Rejection under 35 U.S.C. § 102

a. Claims 1-9 and 12-13 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Isakson et al. (WO 96/41645). Claims 1-13 have been previously canceled and therefore, this rejection is moot.

b. Immunosuppressive Agent versus Anti-Inflammatory Agent

The Office alleges that Isakson teaches a combination of COX-2 inhibitor and a leukotriene B4 receptor antagonist that is useful for the treatment of inflammation and inflammation-related disorders (i.e. arthritis). The Office alleges that since the COX-2 inhibitor is generally considered as an anti-inflammatory-acting compound in the art, both the immunosuppressive drug and the COX-2 inhibitor could be the same agent.

In response, the Applicants respectfully point out that Claims 14-17 now Claim two immunosuppressive agents that are not COX-2 inhibitors.

The Applicants therefore respectfully request that this rejection be withdrawn and the Claims be allowed to issue.

V. Weier et al. is not Available to Support a Rejection of Claims 1-2, 5-8 and 12-13 35 U.S.C. § 102(e)

The instant application has an effective filing date of February 13, 1996: it is a divisional application of application No. 09/075,633 (now U.S. Patent No. 6,172,096), filed May 11, 1998, which was a continuation of application No. 08/600,580, filed February 13, 1996.

According to the face of the Weier et al. patent, that patent has a § 102(e) date of August 8, 1997, over seventeen months later than the effective filing date of the present application. Thus, Weier et al. is not available to support a rejection of claims 1, 2, and 5-8 and 12-13 under 35 U.S.C. § 102(e).

Accordingly, the rejection of Claims 1-2, 5-8 and 12-13 under 35 U.S.C. § 102(e) was improper and Weier should be withdrawn as a reference.

VI. Claim Rejection under 35 U.S.C. § 103

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isakson et al. (WO 96/41645) in view of Pollock et al. The Applicants believe that this rejection is moot because Claims 10 and 11 have been canceled and new claims 14-17 do not include cyclosporine A.

VII. Obviousness-type Double Patenting Rejection

Claims 1-13 are rejected under the judicially created doctrine of double patenting over claims 1-11 of U.S. Patent No. 6,337,329 B1.

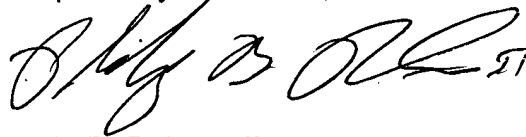
Claims 1-9 and 12-13 are rejected under the judicially created doctrine of double patenting over claims 1-8 of U.S. Patent No. 6,136,839 B1.

Because the alleged conflicting claims have not yet been allowed, Applicants will address the merits of the obviousness-type double patenting rejection when or if the Claims of the instant Application are allowed.

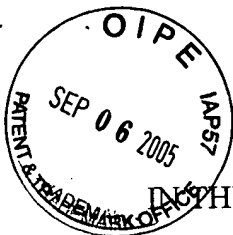
VIII. Conclusion

If the Examiner believes a telephonic interview with Applicant's representative would aid in the prosecution of this application, he is cordially invited to contact Applicant's representative at the below listed number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip B. Polster, II".

Philip B. Polster, II
Attorney for Applicants
Reg. No. 43,864
PHARMACIA CORPORATION
Corporate Patent Law Department
314-274-9094 (St. Louis)



PHA 4145.4 (2918/3A)

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Susan A. Gregory et al.

Serial No. To Be Assigned

Filed July 10, 2003

Confirmation No. To Be Assigned

For IMMUNOSUPPRESSIVE EFFECTS OF ADMINISTRATION OF A
CYCLOOXYGENASE-2 INHIBITOR AND A LEUKOTRIENE B4 RECEPTOR
INHIBITOR

Examiner Brian Yong S. Kwon

COPY

Art Unit: 1614

July 10, 2003

PRELIMINARY AMENDMENT A

TO THE ASSISTANT COMMISSIONER FOR PATENTS,

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:

Prior to examination of the above-referenced application, please make the following amendments:

IN THE TITLE:

Change the title to:

--IMMUNOSUPPRESSIVE EFFECTS OF ADMINISTRATION OF A
CYCLOOXYGENASE-2 INHIBITOR, A LEUKOTRIENE B4 RECEPTOR INHIBITOR AND
A CYCLOSPORIN--

IN THE SPECIFICATION:

On page 1, following the Title of the Invention please replace lines 5 - 8 with the following paragraph:

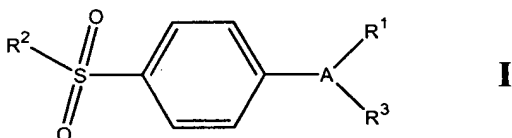
--This application is a divisional of U.S. Serial No. 09/659,299, filed September 12, 2000, which is a divisional of U.S. Serial No. 09/075,633, filed May 11, 1998, which is a continuation of 08/600,580, filed February 13, 1996, now abandoned.--

IN THE CLAIMS:

Please cancel Claims 1-13.

Please add the following new claims:

Claim 14 (New): A combination comprising a therapeutically-effective amount of a cyclooxygenase-2 inhibitor, a leukotriene B4 receptor antagonist and 15-Deoxyspergualin, wherein the cyclooxygenase-2 inhibitor is selected from Dupont Dup-697 (5-bromo-2-(4-fluorophenyl)-3-[4-(methylsulfonyl)phenyl]-thiophene), Taisho NS-398 (N-[2-(cyclohexyloxy)-4-nitrophenyl]-methanesulfonamide), meloxicam, flosulide or compounds of Formula I



wherein:

A is a 5- or 6-member ring substituent selected from partially unsaturated or unsaturated heterocyclo or carbocyclic rings;

R¹ is at least one substituent selected from the group consisting of heterocyclo, cycloalkyl, cycloalkenyl and aryl, wherein R¹ is optionally substituted at a substitutable position with one or more radicals selected from the group consisting of alkyl, haloalkyl, cyano, carboxyl, alkoxycarbonyl, hydroxyl, hydroxyalkyl, haloalkoxy, amino, alkylamino, arylamino, nitro, alkoxyalkyl, alkylsulfinyl, halo, alkoxy and alkylthio;

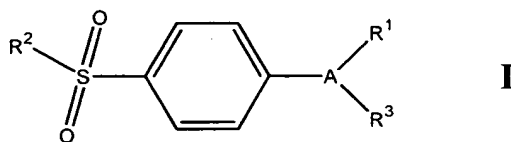
R² is selected from the group consisting of alkyl, and amino; and

R³ is a radical selected from the group consisting of halo, alkyl, alkenyl, alkynyl, oxo, cyano, carboxyl, cyanoalkyl, heterocycloxy, alkyloxy, alkylthio, alkylcarbonyl, cycloalkyl, aryl, haloalkyl, heterocyclo, cycloalkenyl, aralkyl, heterocycloalkyl, acyl, alkylthioalkyl, hydroxyalkyl, alkoxycarbonyl, arylcarbonyl, aralkylcarbonyl, aralkenyl, alkoxyalkyl, arylthioalkyl, aryloxyalkyl, aralkylthioalkyl, aralkoxyalkyl, alkoxyaralkoxyalkyl, alkoxycarbonylalkyl, aminocarbonyl, aminocarbonylalkyl, alkylaminocarbonyl, N-arylaminocarbonyl, N-alkyl-N-arylaminocarbonyl, alkylaminocarbonylalkyl, carboxyalkyl,

alkylamino, N-arylamino, N-aralkylamino, N-alkyl-N-aralkylamino, N-alkyl-N-arylamino, aminoalkyl, alkylaminoalkyl, N-arylaminoalkyl, N-aralkylaminoalkyl, N-alkyl-N-aralkylaminoalkyl, N-alkyl-N-arylaminoalkyl, aryloxy, aralkoxy, arylthio, aralkylthio, alkylsulfinyl, alkylsulfonyl, aminosulfonyl, alkylaminosulfonyl, N-arylaminosulfonyl, arylsulfonyl, and N-alkyl-N-arylaminosulfonyl;

or a pharmaceutically-acceptable salt thereof.

Claim 15 (New): A combination comprising a therapeutically-effective amount of a cyclooxygenase-2 inhibitor, a leukotriene B4 receptor antagonist and rapamycin, wherein the cyclooxygenase-2 inhibitor is selected from Dupont Dup-697 (5-bromo-2-(4-fluorophenyl)-3-[4-(methylsulfonyl)phenyl]-thiophene), Taisho NS-398 (N-[2-(cyclohexyloxy)-4-nitrophenyl]-methanesulfonamide), meloxicam, flosulide or compounds of Formula I



wherein:

A is a 5- or 6-member ring substituent selected from partially unsaturated or unsaturated heterocyclo or carbocyclic rings;

R¹ is at least one substituent selected from the group consisting of heterocyclo, cycloalkyl, cycloalkenyl and aryl, wherein R¹ is optionally substituted at a substitutable position with one or more radicals selected from the group consisting of alkyl, haloalkyl, cyano, carboxyl, alkoxycarbonyl, hydroxyl, hydroxyalkyl, haloalkoxy, amino, alkylamino, arylamino, nitro, alkoxyalkyl, alkylsulfinyl, halo, alkoxy and alkylthio;

R² is selected from the group consisting of alkyl, and amino; and

R³ is a radical selected from the group consisting of halo, alkyl, alkenyl, alkynyl, oxo, cyano, carboxyl, cyanoalkyl, heterocyclooxy, alkyloxy, alkylthio, alkylcarbonyl, cycloalkyl, aryl, haloalkyl, heterocyclo, cycloalkenyl, aralkyl, heterocycloalkyl, acyl, alkylthioalkyl, hydroxyalkyl, alkoxycarbonyl, arylcarbonyl, aralkylcarbonyl, aralkenyl, alkoxyalkyl, arylthioalkyl, aryloxyalkyl, aralkylthioalkyl, aralkoxyalkyl, alkoxyaralkoxyalkyl,

alkoxycarbonylalkyl, aminocarbonyl, aminocarbonylalkyl, alkylaminocarbonyl, N-arylaminocarbonyl, N-alkyl-N-arylaminocarbonyl, alkylaminocarbonylalkyl, carboxyalkyl, alkylamino, N-arylamino, N-aralkylamino, N-alkyl-N-aralkylamino, N-alkyl-N-arylamino, aminoalkyl, alkylaminoalkyl, N-arylaminooalkyl, N-aralkylaminooalkyl, N-alkyl-N-aralkylaminooalkyl, N-alkyl-N-arylaminooalkyl, aryloxy, aralkoxy, arylthio, aralkylthio, alkylsulfinyl, alkylsulfonyl, aminosulfonyl, alkylaminosulfonyl, N-arylaminosulfonyl, arylsulfonyl, and N-alkyl-N-arylaminosulfonyl;

or a pharmaceutically-acceptable salt thereof.

Claim 16 (New): The combination of Claim 14 wherein the leukotriene B4 receptor antagonist is selected from the group consisting of calcitriol, ontazolast, Bayer Bay-x-1005, Ciba-Geigy CGS-25019C, ebselen, Leo Denmark ETH-615, Lilly LY-293111, Ono ONO-4057, Terumo TMK-688, Boehringer Ingleheim BI-RM-270, Lilly LY 213024, Lilly LY 264086, Lilly LY 292728, Ono ONO LB457, Pfizer15696, Perdue Frederick PF 10042, Rhone-Poulenc Rorer RP 66153, SmithKline Beecham SB-201146, SmithKline Beecham SB-201993, SmithKline Beecham SB-209247, Searle SC-53228, Shionogi S-2472, Searle SC-52798, Leo Denmark SR-2566, Sumitamo SM 15178, and American Home Product WAY 121006.

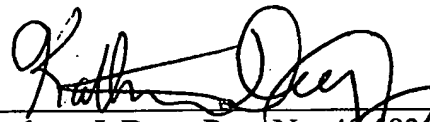
Claim 17 (New): The combination of Claim 15 wherein the leukotriene B4 receptor antagonist is selected from the group consisting of calcitriol, ontazolast, Bayer Bay-x-1005, Ciba-Geigy CGS-25019C, ebselen, Leo Denmark ETH-615, Lilly LY-293111, Ono ONO-4057, Terumo TMK-688, Boehringer Ingleheim BI-RM-270, Lilly LY 213024, Lilly LY 264086, Lilly LY 292728, Ono ONO LB457, Pfizer15696, Perdue Frederick PF 10042, Rhone-Poulenc Rorer RP 66153, SmithKline Beecham SB-201146, SmithKline Beecham SB-201993, SmithKline Beecham SB-209247, Searle SC-53228, Shionogi S-2472, Searle SC-52798, Leo Denmark SR-2566, Sumitamo SM 15178, and American Home Product WAY 121006.

REMARKS

Applicants request the entry of this Preliminary Amendment A prior to the first Office action on the merits of the application. Claims 1 - 13 have been canceled and new Claims 14 - 17 has been added by this Amendment. Support for new claims 14 - 17 can be found, for example, at pages 8 - 16 of the specification. Entry of this amendment prior to calculation of the fee due is requested.

The Commissioner is hereby authorized to charge any fees that may be required during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,



Kathryn J. Doty, Reg. No. 40,893
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KJD/CDS/dfw

Express Mail No. EV 324379232 US